

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BARONIUS PRESS, LTD., an Isle of Man
limited company,

Plaintiff,

v.

FAITHLIFE, LLC, a Delaware limited
liability company,

Defendant.

NO. 2:22-cv-01635-TL

**ORDER ON STIPULATED MOTION TO
EXTEND MOTION TO DISMISS
RESPONSE DEADLINE**

This matter comes before the Court on the Parties Joint Stipulation Granting Plaintiff BARONIUS PRESS, LTD (“**Plaintiff**”) a Thirty Day Extension to File a Response to Defendant’s Motion to Dismiss which stipulation arose from the Parties ongoing communications to address issues raised in Defendant FAITHLIFE, LLC (“**Defendant**”) Rule 12(b)(6) Motion to Dismiss (Dkt. No. 41),¹ and being fully advised of such agreed upon

¹ The Court notes that this motion is necessary only because neither Party appears to have made a good-faith effort to comply with its mutual meet and confer requirements. In the Motion to Dismiss, Defendant admits that it failed to apprise itself of the relevant rules and did not seek to meet and confer as required until late the day before its response deadline, and Plaintiff refused to agree to extend the response deadline to allow time to meet and confer. Dkt. No. 41 at 20. Section II.I. of Judge Lin’s Standing Order for All Civil Cases makes clear that “[a] motion pursuant to FRCP 12(b) is discouraged if the defect can be cured by filing an amended pleading.” As such, the Court imposes a mutual obligation on both Parties to meet and confer to avoid unnecessary motion practice. This is not the first time the Court has admonished the Parties that they are expected to know and follow all applicable rules. Dkt. No. 38 at 3, n.2; 6, n.3.

1 resolution by the Parties; it is therefore ORDERED:

2 1. The Parties' Joint Stipulation for an Order Granting Plaintiff a Thirty Day
3 Extension to File a Response to Defendant's Motion to Dismiss is ADOPTED by this Court;

4 2. Defendant consents to Plaintiff filing its Second Amended Verified Complaint
5 with the Court within **thirty (30) days** from the date of this Order;

6 3. Plaintiff's Second Amended Verified Complaint is limited to addressing issues
7 raised by Defendant in its Rule 12(b)(6) Motion to Dismiss (Dkt. No. 41);

8 4. Plaintiff's deadline to respond to Defendant's Rule 12(b)(6) Motion to Dismiss
9 shall be extended **thirty (30) days** from its current deadline of March 13, 2023, to
10 April 12, 2023; and

11 5. Upon Plaintiff filing its Second Amended Complaint addressing the issues raised
12 by Defendant in its Rule 12(b)(6) Motion to Dismiss, Defendant's Rule 12(b)(6) Motion to
13 Dismiss (Dkt. No. 41) will be rendered moot. The Court therefore DIRECTS Defendant to file a
14 notice on the docket withdrawing its pending Motion to Dismiss upon the filing of the Second
15 Amended Complaint.
16

17 6. The Clerk is DIRECTED to re-note Defendant's Motion to Dismiss for
18 April 21, 2023.
19

20 DATED this 10th day of March 2023.
21

22 
23 _____
24 Tana Lin
25 United States District Judge
26